

following section 16 — relate to the problem of transferring the hodge-podge of magistrate courts, People's Courts, and so forth in the lower level of the hierarchy, over into the district court setup.

The significant date with regard to the District Court is the date of January 1, 1970, and it is on that date that we expect the new district court to be organized and functioning. It will in part be staffed by full-time magistrate-level judges now in office. In other words, to the extent that a full-time magistrate is now sitting and meets the qualifications for the new district court, he will transfer his functions over to the district court and become a district court judge.

To the extent that many of the counties have part-time managers and part-time judicial officers who do not meet the requirements of the new district court, those judges will be named by the governor and will, when the judicial appointments commission comes into being, be named by that Commission. So for the three upper tiers we have very little problem.

The district court poses quite a bit of a problem and is set forth in sections 16 and following. Section 16 is a very important section because it explains a great deal of what we have just said.

Section 5.01 shall not become effective as to the district court until January 1, 1970. The judicial power vested in the Orphans' Courts as of June 30, 1968, shall continue until January 1, 1971. In other words, the Orphans' Courts will serve out the balance of their term.

The judicial power vested in the justices of the peace, People's Courts, Municipal Courts, and the Housing Court of Baltimore County as of June 30, 1968, shall continue until January 1, 1970. In other words, those courts shall continue until the new district courts come into effect.

Each of such justices of the peace and each of such courts other than the Orphans' Courts shall have until January 1, 1970, and the Orphans' Courts shall have until January 1, 1971, the powers and jurisdiction vested in each of them, respectively, on June 30, 1968, subject to such change as the General Assembly may prescribe by law.

In other words, these part-time courts, justices of the peace and so forth, will continue until January 1, 1970. Then their functions will be transferred to the district

court. The Orphans' Courts keep their functions until January 1, 1971.

Now, with that in mind, I think a great many of the items in the following section will fall into line.

Section 17 transfers matters in the three higher courts over to the three higher courts in the new four-tier structure.

Section 18, the first sentence of section 5.10 that relates to the jurisdiction of the district court, all of section 5.11, that is, the composition of the district court, and all of section 5.12, that is, the commission to take the place of your committee management, shall become effective on January 1, 1970. That is the effective date of the district court.

The balance of this section is a conforming change with regard to your other full-time courts, People's Court, Municipal Court, or the Housing Court of Baltimore County. It makes it clear that these functions will be transferred over to the district court.

Section 19 relates to the uniform jurisdiction of the district court and the uniform jurisdiction of the superior court. It provides the uniform jurisdiction of two courts in a four-tier hierarchy. That is not mandatory until January 1, 1971.

The last sentence in that section relates to the probate functions which lie in the Circuit Court. It provides that jurisdiction stays in the Circuit Court until January 1, 1970.

The Orphans' Courts' judges will be the judges in the three higher tiers of the present judicial powers. In other words, the judges just transfer the name of their court and we continue the same persons in the judicial function.

In section 21, we continue in office the chief judges of the appellate courts.

In section 22, we continue in office the judges of the Orphans' Court.

In section 23 we continue in office the full-time judges in the lowest courts, that is, the full-time judges, and these full-time judges will become judges in the district courts.

As to the part-time judges, those terms expired on December 31, 1969. That means that in Cecil and Harford and Carroll Counties and so forth where you have part-time magistrates or part-time People's Court judges their terms expire on December 31, 1969. That is when the new district